



NO. N 97-45-1-1

To the following Permittee or Operator:

Name Horizon Coal Company

Mine Horizon Coal Mine Surface Underground Other

County Carbon State Utah Telephone (801) 561-1555

Mailing Address 7324 South Union Park Ave. Midvale, Utah 84047

State Permit No. ACT/007/020

Ownership Category State Federal Fee Mixed

Date of inspection September 9, 1997, 19

Time of inspection 2:00 a.m. p.m. to 3:30 a.m. p.m.

Operator Name (other than Permittee) _____

Mailing Address _____

notice of violation

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining is** **is not** expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

CERTIFIED RETURN RECEIPT

P 074 977 266

Date of service/mailling September 18, 1997

Time of service/mailling 10:00 a.m. p.m.

Vicky Bailey/ EarthFax

Permittee/Operator representative

Title

Mailed From Salt Lake Office

Signature

Robert Davidson

Division of Oil, Gas & Mining representative

Senior Reclamation Specialist

Title

Robert Davidson
Signature

45

Identification Number

SEE REVERSE SIDE

WHITE-DOGGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 97-45-1-1

Violation No. 1 of 1

Nature of violation

Failure to conduct all coal mining and reclamation act operations only as described in the approved application. Failure to comply with terms and conditions of the approved Mining and Reclamation Plan.

Provisions of act, regulations or permit violated

R645-300-142, 143

R645-301-251, 252

Portion of operation to which notice applies

A. Topsoil brought in and distributed within the disturbed area on the north facing slopes within Portal Canyon and the lower end of Jewkes Creek.

B. Topsoil from the topsoil stockpile used to reclaim the cutslope above the supply, office and bath house locations.

Remedial action required (including any interim steps)

The remedial action required is to submit an amendment to the approved Mining and Reclamation Plan which addresses at a minimum:

A. (1) The sampling and characterization according to the Division's topsoil guidelines, (2) soil placement volume and thickness, stabilization, nutrients, and seeding.

B. (3) pre-existing and existing volume of the approved topsoil guidelines, ~~volume and thickness of topsoil placed on the cutslope above the supply, office and bath house building locations,~~ (4) volume and thickness of topsoil placed on the cutslope above the supply, office and bath house building locations, (5) stabilization, nutrients, and protections measures for the referenced area, (6) any topsoil deficit created by the removal of topsoil stockpile area,

A&B. (7) interim versus contemporaneous reclamation areas by differentiating and

TT DOGM ACT/007/020 N-97-45-1-1 9-18-97

● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

- 1. Show to whom delivered, date, and addressee's address. (Extra charge)
- 2. Restricted Delivery (Extra charge)

<p>3. Article Addressed to:</p> <p>VICKY BAILEY EARTHFAX 7324 S UNION PARK AVE MIDVALE UT 84047</p>	<p>4. Article Number</p> <p style="text-align: center;">P 074 977 266</p> <p>Type of Service:</p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Registered</td> <td><input type="checkbox"/> Insured</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified</td> <td><input type="checkbox"/> COD</td> </tr> <tr> <td><input type="checkbox"/> Express Mail</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> </table> <p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>	<input type="checkbox"/> Registered	<input type="checkbox"/> Insured	<input checked="" type="checkbox"/> Certified	<input type="checkbox"/> COD	<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise
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<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise						
<p>5. Signature Address</p> <p>X <i>Vicky L. Bailey</i></p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p>						
<p>6. Signature Agent</p> <p>X</p>							
<p>7. Date of Delivery</p> <p style="text-align: center;"><i>9/18/97</i></p>							